

Opening Statement of Chairman Harold Rogers -- Homeland Security Appropriations Subcommittee Hearing on TSA Screener Background Investigations

Good morning. Today we will focus on the Transportation Security Administration's hiring of over 65,000 screeners and whether that process assured that the most trustworthy candidates were retained. Over the last couple of weeks, reports have surfaced that, in the rush to get a screener work force in place by November 2002, TSA hired screeners with a criminal past or who had deliberately lied on their job applications. Airports in Florida, Minneapolis, New York, and California have found numerous employees with criminal backgrounds among their screener staff. In the case of New York, a screener was fired after stealing \$6,000 from a passenger. These reports are very disturbing.

To date, OPM still needs to run background investigations on about 50 percent of the screeners employed by TSA. Despite the need for additional investigation, the vast majority of these screeners have begun working after a more cursory background review, including a name check, reference check, and a finger print check against a national database. While these methods of investigation are a start, they are not thorough enough to prevent all of those with unsavory pasts from being hired. It is clear to me that if OPM had conducted a more detailed review of all screeners, these troubling pasts would have been uncovered.

Today we have with us a variety of witnesses that were involved in the review and hiring of screener applicants:

- From the Transportation Security Administration, Admiral James Loy
- From Pearson Government Solutions, we have the President and CEO, Mac Curtis. Pearson assessed over 328,000 applicants and then offered conditional employment to more than 129,000 applicants.
- From PEC Solutions, Vice President Bill Merring. PEC fingerprinted the screener applicants, who were then checked against the FBI's national criminal database by OPM.
- From Choice Point, Jim Zimbardi, the Senior Vice President. Choice Point conducted name checks and quick background reviews on the screeners offered conditional employment.
- From DynCorp, George Regan. DynCorp adjudicated concerns that Choice Point raised regarding applicants.
- And finally, from the Office of Personnel Management, Steve Benowitz. OPM is conducting a more thorough background investigation on each screener.

In the end, TSA used the information provided by each of these companies to make their final hiring decisions.

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After a full week to delve into the data we've collected, it is clear that the process was convoluted and confusing. We need a diagram just to track the seemingly duplicative responsibilities of each company and federal agencies. It is also clear that the process was defective. The enormous amount of applicants involved, and the rushed nature by which decisions were made, make clear that better management and quality control were needed. Finally, it is clear that many questions remain unanswered.

Here's what we do know:

- NCS Pearson assessed the applicants, and for those that met the basic requirements, offered over 129,000 of them conditional employment the same day they were interviewed. Almost immediately, TSA began a weeklong on-the-job training session for these new conditional hires. Using this time line, one can fairly assume that screeners were working in our nation's airports within two weeks of first being assessed. Unacceptable.
- Meanwhile, Choice Point flagged 53 percent of the candidates offered conditional employment as "yellow" or "red" for some type of discrepancy or disqualifying factor on their application. Those applicants flagged as "yellow" or "red" required additional scrutiny by DynCorp and TSA for several reasons. They ranged from minor criminal activities and tax liens to much harsher categories of criminal offense. A "red" flag meant that the applicant was a convicted criminal with an offense serious enough to disqualify him/her for consideration. Some examples include armed robbery, rape, murder, and assault with intent to murder. Yet these flagged applicants were allowed to continue their training and screening activities until a final resolution on their application occurred. In many cases this was at least one month, if not longer. I also understand that some of these applicants were offered final employment. Again, unacceptable.
- OPM, the final arbitrator in this process, was charged with conducting a more thorough background investigation for each screener hired. On average, these checks take about 90 days. Obviously, many screeners were on the job long before an OPM review was completed. In fact, OPM has yet to conduct background investigations on nearly 30,000 screeners currently on the payroll. That's 30,000 screeners on the job without a background investigation completed. Now that really takes the cake.

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Based on this quick hiring process, I find it hard to believe that Choice Point, DynCorp, and PEC were able to screen the applicants' fingerprints, complete a name check, review credit records, and complete a quick background investigation on each screener before they began working in an airport. Admiral Loy, I would like to know what type of additional reviews TSA did of the basic data provided by each company, and whether that information caused employment offers to be rescinded or whether screeners that were already working were terminated. Given that more than half of the applicants applying needed additional investigation, it is quite clear that TSA ultimately hired hundreds, if not thousands, of questionable employees. Simple arithmetic tells me that there weren't enough quality applicants passing through the screening process to fill the 53,505 screener positions currently on the TSA payroll! Clearly, you all have some explaining to do.

Today, we will work to get to the bottom of this mess. Let me be clear, I expect answers and I expect them today. Airports and passengers all around this country need to know that the people screening passengers and luggage are trustworthy. These screeners often have access to some of the most sensitive areas of an airport, and are one of the last lines of defense against a potential act of terrorism. There are 429 commercial airports in the country, handling some 600 million passengers a year. One mistake or one unsavory character and you have one huge, potentially fatal circumstance on your hands. This is an awesome responsibility and the American public deserves the highest standard of protection. Those who do not deserve this level of trust should not be on TSA's payroll.

The four companies before us today, as well as OPM, will discuss the process they used to assess screener applicants. TSA ultimately used this information to make final hiring decisions. I want to make clear that these companies cannot speak about TSA's hiring decisions, as their responses would be speculative in nature. They can only answer to the tasks they were given, and whether those tasks were performed properly. I would ask Members to refrain from asking those types of questions of the company representatives here today. Admiral Loy, I'm sure you have your own opinions on the quality of work done by these companies, and we're anxious to hear it.

Let me welcome everyone. Your entire statements will be placed in the record. In the interest of time, I suggest that you summarize.

I'll now recognize my good friend from Minnesota, Mr. Sabo, for any opening comments he may wish to make.